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OCT 12 2005

PAPERS FOR  
PATENTS  
IAP38

Effective on 10/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 180.00)

**Complete if Known**

Application Number	10/040,830
Filing Date	January 8, 2002
First Named Inventor	Borodic
Examiner Name	Vanessa L. Ford
Art Unit	1645
Attorney Docket No.	33677.00700US

**METHOD OF PAYMENT** (check all that apply)

 Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

 Deposit Account Deposit Account Number: 13-3250 Deposit Account Name: 33677.00700US

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**
**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**
**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	Fee (\$)	Fee (\$)
- 20 or HP =	x	=		50	25	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=		360	180	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		=

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Second Supplemental Information Disclosure Statement

Fee Paid (\$)

180.00

**SUBMITTED BY**

Signature	Enrique Longton	Registration No. (Attorney/Agent) 47,304	Telephone 202-835-7500
Name (Print/Type)	Enrique Longton		Date October 12, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



U.S. Application Serial No. 10/040,830  
Attorney Docket No.: 33677-00700

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Gary E. BORODIC *et al.* )  
Application Serial No.: 10/040,830 ) Group Art Unit: 1645  
Filed: January 8, 2002 ) Examiner: Vanessa L. Ford  
Title: *The Use of Botulinum Toxin For The* )  
*Treatment of Chronic Facial Pain* )

**SECOND SUPPLEMENTAL**  
**INFORMATION DISCLOSURE STATEMENT**

**MAIL STOP AMENDMENT**

Commissioner of Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §§ 1.97(b), and in compliance with the duty of disclosure set forth in C.F.R. § 1.56, applicants are submitting herewith copies of references listed on the attached Form PTO/SB/08A for consideration and to be made of record herein by the U.S. Patent and Trademark Office in the above-captioned application.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08A with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

Applicants' submission of the Information Disclosure Statement (IDS) shall not be construed as an admission that the cited references are prior art to the present invention, or that the cited references qualify as printed publications. The submission of this IDS also shall not be construed as a representation that a prior art search has been performed.

This Information Disclosure Statement is being filed with An Amendment and Response Under 37 C.F.R. §1.111. A credit card authorization form in the amount of \$180.00 is enclosed. However,

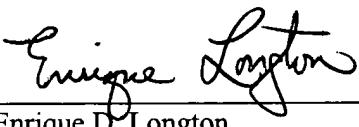
	10/13/2005	JADD01	00000080	10040830
	01	FC:1806	180.00 OP	

if any additional fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 13-3250 under referenced No. 33677.00700US.

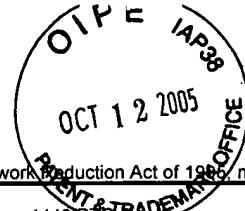
Respectfully submitted,

Date: October 12, 2005

By:

  
\_\_\_\_\_  
Enrique D. Longton  
Registration No. 47,304

**Customer No. 38647**  
**MILBANK, TWEED, HADLEY & McCLOY LLP**  
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Substitute for form 1449/P-10

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet 1 of 1

**Complete if Known**

Application Number	10/040,830
Filing Date	January 8, 2002
First Named Inventor	Borodic
Art Unit	1645
Examiner Name	Vanessa L. Ford
Attorney Docket Number	33677.00700US

## U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

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